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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

PACIFIC ENERGY & MINING COMPANY,  
a Nevada Corporation,

Plaintiff,

vs.

MAXIMILIAN RESOURCES LLC,  
a Delaware Limited Liability Company,

Defendant.

Case No.: 3:17-cv-00363-HDM-CBC

**ORDER GRANTING AMENDED  
STIPULATION FOR EXTENSION OF  
TIME FOR DEFENDANT TO RESPOND  
TO THE MOTION FOR SUMMARY  
JUDGMENT [DOC. 61]  
(THIRD REQUEST) AND MOTION TO  
DIMISS COUNTERCLAIMS [DOC.69]  
(SECOND REQUEST)**

**WHEREAS**, Plaintiff Pacific Energy and Mining Company (“**Pacific**”) commenced this

1 action against Defendant Maximilian Resources, LLC (“**Maximilian**” and together with Pacific,  
2 the “**Parties**”) by filing a Complaint for Declaratory Judgment (“**Plaintiff’s Complaint**”) on  
3 June 9, 2017;

4 **WHEREAS**, on June 6, 2018, Pacific filed a motion requesting that this Court issue  
5 summary judgment in its favor (the “**Summary Judgment Motion**”);

6 **WHEREAS**, pursuant to a stipulation agreed to by Pacific and Maximilian and so  
7 ordered by this Court, Maximilian’s current deadline to oppose the Summary Judgment Motion  
8 is September 19, 2018 (the “**SJ Objection Deadline**”);

9 **WHEREAS**, on July 2, 2018, Maximilian filed an answer to Plaintiff’s Complaint and  
10 asserted certain counter-claims against Pacific;

11 **WHEREAS**, on July 17, 2018, Pacific filed a motion to dismiss Maximilian counter-  
12 complaint (the “**Motion to Dismiss**”);

13 **WHEREAS**, pursuant to a stipulation agreed to by Pacific and Maximilian and so  
14 ordered by this Court, Maximilian’s current deadline to oppose the Motion to Dismiss  
15 is September 19, 2018 (the “**Motion to Dismiss Objection Deadline**”);

16 **WHEREAS**, the Parties are engaged in settlement discussions regarding the issue raised  
17 herein and numerous other issues involving multiple parties located in multiple locations;

18 **WHEREAS**, while the Parties continue to earnestly pursue settlement discussions, they  
19 wish to (i) avoid the cost and expense of litigating the Summary Judgement Motion and the  
20 Motion to Dismiss and (ii) preserve this Court’s resources given the recent progress in  
21 negotiations;

22 **WHEREAS**, the Parties agree that adjourning the SJ Objection Deadline and the Motion  
23 to Dismiss Objection Deadline is in their best interests and further the goal of judicial economy;

24 **NOW THEREFORE**, in consideration of the foregoing, of the mutual promises and  
25 covenants herein, and other considerations, the reasonableness of which is hereby acknowledged,  
26 the Parties hereto agree as follows:  
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1           1. The Parties hereby agree that the Objection Deadline to the Summary Judgement Motion  
2 is extended through and including November 17, 2018.

3           2. The Parties hereby agree that the Objection Deadline to the Motion to Dismiss is  
4 extended through and including November 17, 2018.

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6  
7 DATED this 7th day of September, 2018.

8 LEVERTY & ASSOCIATES LAW CHTD.

9 /s/ Patrick Leverty  
10 Vernon E. Leverty, Esq.  
11 Patrick R. Leverty, Esq.  
12 832 Willow Street  
13 Reno, NV 89502  
14 *Attorneys for Pacific Energy*  
15 *& Mining Company*

DATED this 7th day of September, 2018.

BROWNSTEIN HYATT FARBER  
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*Maximilian Resources, LLC*

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19 **IT IS SO ORDERED.**

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21 \_\_\_\_\_  
22 SENIOR UNITED STATES DISTRICT JUDGE

23 DATED: September 12, 2018  
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